April 6, 2006

National Organic Standards Board
c/o Valerie Frances
United State Department of Agriculture
Room 4008 - South Building
1400 Independence Avenue, SW
Washington, DC 20250-0001
Via E-mail: NOSB.Livestock@usda.gov

Comments on the interim Final Report of the Aquaculture Working Group (Winter 2006)

Food & Water Watch is pleased to have the opportunity to comment on the *Interim Final Report of the Aquaculture Working Group Winter 2006* as posted on the United States Department of Agriculture's National Organic Standards Board (NOSB) web page. Food & Water Watch is a national non-profit consumer advocacy organization that challenges the corporate control and abuse of our food and water resources by empowering people to take action and by transforming the public consciousness about what we eat and drink.

As American consumers' appetite for seafood increases, the aquaculture industry has taken it upon themselves to develop their own "organic" standards, but these standards are often misleading and confusing. In addition, they have not received the scrutiny of public input, nor is there a vehicle in place to enforce these standards. As a result, we welcome the NOSB's process of developing organic standards for farm raised aquatic species.

Food & Water Watch hopes that the USDA takes this matter seriously to develop true organic standards in order to offer consumers the confidence they need to make the best seafood choices. In addition, it is imperative that the public has the best opportunity to contribute to the development of these standards.

Generally, Food & Water Watch found the Interim Final Report to be rather vague and some of the sections need to be strengthened and quantified, rather than allowing interpretation by the individual farms. In addition, the organic standards need to apply to the highest levels of environmental protection and consumer safety. Food & Water Watch is specifically concerned that wild fish feed and oil are permitted to raise the farmed aquatic species. This should not be allowed, as numerous recent peer reviewed studies have found high levels of contaminants in farmed fish fed wild fish feed. In

addition, these standards must only apply to closed systems, which can control all inputs and outputs, and defiantly must not apply to finfish raised in the open ocean. Below are specific concerns.

§ 205.250 Aquaculture General

Subsection (5): Not only should aquaculture facilities abide by current laws, such as the Clean Water Act and the National Environmental Protection Act, but the facilities should actually enhance biological diversity, diminish environmental harm and assist in the recovery of wild fish populations.

Additional Subsections should include the following:

Subsection (8): Only closed aquaculture facilities, which can prevent the spread of disease and the contamination of the surrounding environment may be considered to be labeled as organic.

Subsection (9): The size of the facility must have a maximum amount of acreage in order to avoid industrial fish feedlots, which regardless of any standards will pollute the water and stress the aquatic animals.

§ 205.251 Origin of Aquaculture Animals

Subsection (a): The proposal for when organic management begins is too vague and too late. The aquatic animals must be treated as organic from larvae. In particular, the "or beginning no later than when 5% of total market weight has been achieved" does not provide for any consistent standards and "total market weight" allows for varied interpretation by the individual farms.

Subsection (J): The current subsection should be struck, and in its place, the following: All aquatic animals must be grown from hatcheries and if the species cannot be grown in a hatchery, than that species is not yet ready for organic aquaculture production. While in the hatchery, the larvae's water temperature, salinity and feed must be constantly monitored.

§ 205.252 Aquaculture Feed

Option A is not an option.

Subsection (a): Feed and feeding practices must meet the **maximum** not minimum nutrient requirements.

Subsection (e): Wild aquatic species **must not** be used as fish feed for organic farm raised aquatic animals. There are too many uncontrollable variables and numerous recent peer reviewed studies have indicated that wild fish feed fed to farmed aquatic species results in higher contaminations of the aquacultured species. In addition, organically

grown aquatic species must mitigate harm to the environment. Capturing wild species for feed does just the opposite and will increase the stress on wild fish populations. According to the United Nations Food and Agriculture Organization, 75% of the world's wild fish populations are approaching an overfished condition, overfished or depleted. The small fish used for fish feed are food for bigger fish, such as cod. Removing small fish from the oceans for aquaculture will only exacerbate the problems.

A 2004 study published in the magazine *Science* found that farm-raised salmon has higher levels of PCBs and dioxins than wild salmon, due to the wild fish feed they are fed. Furthermore, the scientists recommended eliminating consumption of farm-raised salmon, as PCBs and dioxins are known carcinogens.[1] As a result, Food & Water Watch recommends that wild fish feed not be allowed to be fed to farm-raised fish labeled as organic.

Subsection (f): as already outlines above, wild feed cannot be allowed to raise organically labeled aquatic animals. Furthermore, third party certification is not acceptable and is completely unaccountable.

The Japanese company Alter Trade Japan, Inc started to market "ecological" shrimp in 1994 in Indonesia, and then started an organic certification project with German Naturland as the certifier. The first certified farms were established in July 2002. Most of the "organic" shrimp from those farms went to the supermarket shelves of Europe. Independent researchers found that these certified shrimp farms in Indonesia refuse access for inspections and verification of practices by scientists, civil society or local communities. The certified farms offer no transparency and studies have been conducted that indicate the farm uses chemicals that are banned in the U.S. and Europe for one third of the shrimp's lifespan. In addition, the farms do mutilate one eye of the female – called eyestalk ablation - in order for her to produce more larvae. A study found that the farms certified by Naturland degrade ecologically important coastal ecosystems, such as mangroves, and violate Indonesian laws, which require farms to be a specific distance from sea.[2] In addition, other third party certifiers, such as the Marine Stewardship Council (MSC), have certified wild fisheries, even when they do not abide by the MSC's principles and criteria. For example, the MSC certified the hoki fishery in New Zealand, regardless of the high amount of bird by-catch due to the longlines. More recently, the MSC certified the South Georgian toothfish fishery, despite numerous problems, including questionable chain of command, unknown population levels - which could be low enough for the species to be nearing an overfished condition, and illegal fishing of the species. For these reasons, third party certification should not be allowed.

Option B:

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[1] Hites R.A., Foran, J.A., Carpenter, D.O., Hamilton, M.C., Knuth, B.A., and Schwager, S.J., Global Assessment of Organic Contaminants in Farmed Salmon, 303 Science 226 (Jan. 9, 2004), available at http://www.pewtrusts.com/pdf/salmon_study.pdf.

[2] Ronnback, Dr. Patrick, *Critical Analysis of Certified Organic Shrimp Aquculture in Sidoarjo, Indonesia.* Prepared for the Swedish Society for Nature Conservation. Dec 2003.

Food & Water Watch prefers Option B. All feed fed to organic certified aquatic species must be organically raised itself.

Subsection (h): Food & Water Watch recommends strengthening this subsection to read, as follows:
Contaminants ~~may~~ must be removed from fish oil to the maximum extent possible with activated carbon or with any process using water as a solvent.

In addition, a provision must be added stating that if a fish is found to have levels of contaminants greater than the Environmental Protection Agency's recommended monthly fish consumption limits, the fish may not be sold, labeled or represented as organic.

Subsection (i): Food & Water Watch recommends that this subsection be amended to state that only pigmentations are to be used that have been derived from agricultural products in accordance with existing organic regulations. In addition, if pigmentation compounds are used, that fact must be disclosed to the consumer.

Subsection (k): Food & Water Watch fully supports this subsection.

§ 205.253 Aquaculture health care

Subsection (a)(3): Food & Water Watch proposes an addition to this subsection:
Water must not be re-diverted from the local communities. All ponds, including the water treatment ponds, must be lined with plastic to maintain isolation from the surrounding environment and to prevent seepage into the surrounding environment.

Food & Water Watch proposes an addition Subsection (a)(8):
Mechanisms must be put in place in order to control bacteria and prevent outbreaks of disease.

Subsection (b) Food & Water Watch strongly suggests that if an aquatic animal is treated with synthetic medicines, they must be removed from the ponds and not have any interaction with those aquatic species sold, certified and labeled as "organic."

Subsection (c): Food & Water Watch agrees this, especially, the absolute prohibition of hormones, antibiotics and synthetic parasiticides.

§ 205.253 Aquaculture facilities.

Subsection (d): The aquaculture facilities must be a certain distance from both conventional and organic agriculture. In addition, the facility must not be placed in a flood plain.

Subsection (k): **Use of open water net pens must not be permitted**. Only closed systems should be permitted to obtain organic certification. Any finfish raised in the open ocean must not be labeled as organic; therefore, these standards do not apply to them.

Open ocean aquaculture experiences too many variables, such as water flow and influences from wild fish populations. Only closed systems should be permitted under these standards.

In addition, it is recommended that the conversion period be three years or 6 cycles, which ever is *greater*. In order to ensure the environment is free of any chemicals, algaecides, fungicides, colorants, antibiotics that may have previously been used.

§ 205.259 Harvest, transport, post harvest handling, and slaughter of aquatic animals

Additional Subsection (m):
No aquatic species that has been treated with irradiation may be labeled as organic.

Conclusions:

Food & Water Watch appreciates the opportunity to comment on the Interim Final Report of the Aquaculture Working Group. We hope that our recommendations and amendments are incorporated into the final standards in order to protect the integrity of organic labeling, thus protecting the environment and offering a high level of confidence to consumers.

Sincerely,

Wenonah Hauter
Executive Director
Food & Water Watch

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April 10, 2006

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As American consumers' appetite for seafood increases, the aquaculture industry has taken it upon themselves to develop their own "organic" standards, but these standards are often misleading and confusing. In addition, they have not received the scrutiny of public input, nor is there a vehicle in place to enforce these standards. As a result, we welcome the NOSB's process of developing organic standards, which take ecological impacts into consideration, for farm raised aquatic species.

Food & Water Watch hopes that the USDA takes this matter seriously to develop true organic standards in order to offer consumers the confidence they need to make the best seafood choices. In addition, it is imperative that the public has the best opportunity to contribute to the development of these standards.

Generally, Food & Water Watch found the Interim Final Report to be rather vague and some of the sections need to be strengthened and quantified, rather than allowing interpretation by the individual farms. In addition, the organic standards need to apply to the highest levels of environmental protection and consumer safety. Food & Water Watch is specifically concerned that wild fish feed and oil are permitted to raise the farmed aquatic species. This should not be allowed, as a recent *Science* article found high levels of contaminants in farmed fish that consume feed containing wild fish. Contaminants include PCB's, dioxins and toxaphene. In addition, these standards must only apply to closed systems, which can control all inputs and outputs, and definitely must not apply to finfish raised in the open ocean. Below are specific concerns.

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Subsection (J): The current subsection should be struck, and in its place, the following: All aquatic animals must be grown from hatcheries and if the species cannot be grown in a hatchery, than that species is not yet ready for organic aquaculture production. While in the hatchery, the larvae's water temperature, salinity and feed must be constantly monitored.

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Option A is not an option.

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Subsection (e): Wild aquatic species **must not** be used as fish feed for organic farm raised aquatic animals. There are too many uncontrollable variables and numerous recent peer reviewed studies have indicated that wild fish feed fed to farmed aquatic species results in higher contaminations of the aquacultured species. In addition, according to *§ 205.250 Aquaculture General,* organically grown aquatic species must mitigate harm to the environment. Capturing wild species for feed does just the opposite and will increase the stress on wild fish populations. According to the United Nations Food and Agriculture Organization, 75% of the world's wild fish populations are approaching an

overfished condition, overfished or depleted. The small fish used for fish feed are food for bigger fish, such as cod. Removing small fish from the oceans for aquaculture will only exacerbate the problems.

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Option B:

Food & Water Watch prefers Option B. All feed fed to organic certified aquatic species must be organically raised itself.

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Sincerely,

Andrianna Natsoulas
Campaign Coordinator
Food & Water Watch